

Notice of Allowability

Application No.

09/903,257

Examiner

Marissa Thein

Applicant(s)

COHN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to February 13, 2007.
2. ☒ The allowed claim(s) is/are 1, 4, and 6.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Claim 1

Claim 1 recites an apparatus connecting buyers and sellers of products services comprising: *inter alia* assigning means denoting a weighted importance to provider characteristics associated with each subscribing buyer and seller using object affiliations to indicate a level of presence each object is given in the directory, wherein the level of presence is based upon company profile, search result positioning and access to Requests for Proposals to afford each subscribing buyer and seller to be listed in multiple brands.

The most closely applicable prior art of record is referred to the Office Action mailed on March 27, 2006 as U.S. Patent No. 6,968,513 to Rinebold et al. which discloses an online interactive system comprising a business referral and income generation system linked to one or more listed web sites of businesses in particular locality or geographical area. The system enables quicker and substantially automated and on-line self-posting, design, selection, updating and payment for listings, ads and coupons. (Abstract) However, Rinebold neither anticipates or fairly and reasonable teaches an apparatus connecting buyers and sellers of products services comprising: *inter alia* assigning means denoting a weighted importance to provider characteristics associated with each subscribing buyer and seller using object affiliations to indicate a level of presence each object is given in the directory, wherein the level of presence is

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based upon company profile, search result positioning and access to Requests for Proposals to afford each subscribing buyer and seller to be listed in multiple brands .

Newly cited reference World Publication No. WO 94/233383 to Lalonde discloses an interactive computing system for facilitating sales of goods and services and for gathering information, which provides a facility for presenting the interests of the users of the systems so as to automatically direct information to recipients who are likely to be interested in the information (page 2, lines 15-20). The system provides electronic agents which include information regarding the expressed interests, purchase histories, and demographic characteristics of the user (abstract). Lalonde neither anticipates or fairly and reasonably teaches an apparatus connecting buyers and sellers of products services comprising: *inter alia* assigning means denoting a weighted importance to provider characteristics associated with each subscribing buyer and seller using object affiliations to indicate a level of presence each object is given in the directory, wherein the level of presence is based upon company profile, search result positioning and access to Requests for Proposals to afford each subscribing buyer and seller to be listed in multiple brands .

Newly cited article "About.com Adds Auction-Based Advertising to Platform" teaches an online and purchasing system which allows buyers to create contextual text-link advertisements for placement within highly relevant locations on specific About.com sites. The article further teaches a sponsored contextual listings called Sprinks TM, which is an online purchasing system that is an auction environment where dynamic price competition establishes optimum placement for the buyer while

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About.com receives maximum payment. Sprinks allows advertisers to name their price for specific link locations on high quality, highly targeted sites. Sprinks gives advertisers access to About.com's interested audiences and gives users the ability to connect with merchants that best server their needs. (Whole article) The article neither anticipates or fairly and reasonable teaches an apparatus connecting buyers and sellers of products services comprising: *inter alia* assigning means denoting a weighted importance to provider characteristics associated with each subscribing buyer and seller using object affiliations to indicate a level of presence each object is given in the directory, wherein the level of presence is based upon company profile, search result positioning and access to Requests for Proposals to afford each subscribing buyer and seller to be listed in multiple brands.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 571-272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mtot
May 12, 2007


F. RYAN ZEENDER
SUPERVISORY PATENT EXAMINER